IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
APPEAL FROM ORDER NO.351 OF 2003

Narendra G. Bhoir ...Appellant

Vs.

Municipal Corporation of
Greater Bombay ...Respondent

Mr.V.T.Lulia for the Appellant.
Mr.J. Xavier for B.M.C.-Respondent.

CORAM: A.S.OKA, J.

DATED: JANUARY 11, 2005.

P.C.:

1. Heard Counsel appearing for the parties. The challenge in this Appeal is to the order dated 29th April 2003. By the impugned order the learned Trial Judge has declined to grant ad-interim relief. The only prayer in the Notice of Motion on which the ad-interim order is passed is for temporary injunction restraining the Respondent from demolishing the structure of the Appellant admeasuring 1000 sq.ft. described in the plaint.

2. It is an admitted position that after the impugned order was passed the structure has been demolished.

3. In view of this position, the Appeal does not survive.

Appeal is dismissed with no order as to costs.

4. All questions on merit are kept open.

5. Parties to act upon an authenticated copy of this order.

Judge.